

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

Plaintiff

GARY KOSSEFF, INDIVIDUALLY AND ON BEHALF OF ALL
OTHERS SIMILARLY SITUATED

vs.

Defendant

MERRILL LYNCH & CO., INC., ET AL.,

Case No.: 07-CV-10984

Hearing Date:

Attorney of Record:

AFFIDAVIT OF SERVICE

Received this on

2-29-08

I, MARK McCLOSKEY, being duly sworn, depose and say, I have been duly authorized to make service of the document(s) listed herein in the above styled case, I am over the age of 18, and am not a party to or otherwise interested in this matter.

That on Feb 29 2008 3:35PM, I executed service of SUMMONS; AMENDED CLASS ACTION COMPLAINT AND JURY TRIAL DEMANDED on WACHOVIA CAPITAL MARKETS, LLC at 80 STATE Street, ALBANY, Albany County, NY 12207

By Personal Service to: MAUREEN COGAN, REGISTERED AGENT, A white female approx. 40-45 years of age 5'4"-5'6" in height weighing 140-160 lbs with brown hair

Military Status: Not in Military

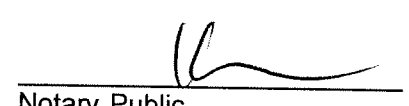
I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.



MARK McCLOSKEY

Execute on Feb 29, 2008

State of New York County of Schenectady
Subscribed and sworn to before me, a notary public on Feb 29, 2008



Notary Public

FOR: Murray, Frank & Sailer, LLP

Order No. 5293653 SEA



KAREN E. ROCK
Notary Public, State of New York
Qualified in Schenectady County
No. 01RO6065213
Commission Expires 10/09/2009